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PATENT
Customer No. 22,852
Attorney Docket No. 08530.0314-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Jon GINGRICH et al.) Group Art Unit: 3731
Application No.: 10/808,427) Confirmation Number: 6960
Filed: March 25, 2004) Examiner: T.V. Nguyen
For: MEDICAL DEVICE AND RELATED)
METHODS OF PACKAGING)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTERVIEW AGENDA

FOR PURPOSES OF DISCUSSION ONLY -- NOT FOR ENTRY INTO THE RECORD

Applicant thanks Examiner Nguyen for agreeing to schedule an interview in the above-referenced case. Applicant's representatives propose the following agenda during a telephonic interview on September 24, 2009, at 2:00 p.m. EST:

1. General discussion of Applicant's claimed invention.
2. Discussion of the rejection of claims 1-3, 7, 8, 13, 15-17, 23, 28-29, 33-34, 37, 40-41, 44, 48-49, 51, 54-57, and 72-94 as being allegedly anticipated by U.S. Patent No. 5,344,011 to DiBernardo et al. ("DiBernardo") and claims 36 and 61 as allegedly being unpatentable over DiBernardo in view of U.S. Patent No. 5,702,080 to Whittier et al. ("Whittier").

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3. Discussion of certain distinguishing features between the cited references and disclosed embodiments of the invention (as shown on page 3 of this paper).

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DISTINGUISHING FEATURES FOR DISCUSSION

(1) Disclosed embodiments of the invention store an end effector and/or an elongate member within grooves of a handle portion (e.g., a spool) that also causes activation of the end effector. The need for an additional part for storage is eliminated. This feature is neither disclosed nor suggested by the cited references.

(2) Disclosed embodiments of the invention include a spool having a groove that accommodates multiple loops of the flexible, elongated member. This feature also is neither disclosed nor suggested by the cited references. In contrast, Fig. 2 of DiBernardo, for example, discloses each of the alleged grooves accommodating only a single alleged loop.

(3) The spool according to the embodiments of the disclosed invention includes a proximal portion and a distal portion connected together by a central portion. A plurality of grooves is defined by the proximal portion, and another plurality of grooves is defined by the distal portion. At least one of the plurality of grooves and at least one of the another plurality of grooves are circumferentially aligned with each other and are discontinuous with the central portion. This feature is illustrated in, for example, Fig. 3 of this application, wherein groove 212 and groove 222 are circumferentially aligned with each other and are discontinuous with a central portion 230. This feature also is neither disclosed nor suggested by the cited references.